



**TENNESSEE HUMAN RIGHTS COMMISSION
CENTRAL OFFICE
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**September 30, 2005
Board of Commissioner's Meeting
Minutes**

Commissioner's Present:

Commissioner Garrett
Commissioner Hakeem
Commissioner Hammonds (via Phone)
Commissioner Jones
Commissioner Kyles (via Phone)
Commissioner Pierce
Commissioner Pride (via Phone)
Commissioner Rogers (via Phone)
Commissioner Smith
Commissioner Walker (via Phone)
Chairman Wiggins

Commissioner's Absent:

Commissioner Hodge
Commissioner Horne
Commissioner Todd

Staff Present:

Amber D. Gooding, Executive Director
Antonio Adams, Deputy Director
Robert Bright, Housing Director
Cynthia Howard, Communications Officer
Lisa Lancaster, Executive Director's Assistant

Guests: None

Mary Mancini – The Tennessean

Call to Order & Invocation

Chairman Wiggins called the meeting to order at 9:10 a.m. Commissioner Jones offered the invocation.

Minutes & Roll Call

The minutes of the July 29, 2005 board meeting were reviewed. Commissioner Hakeem made a motion to accept the minutes, the motion was seconded by Commissioner Jones. A vote was taken and passed. Roll call was taken.

Statement of Necessity

Chairman Wiggins noted the Benton County age discrimination cases as the reason for the called meeting. It was then noted that, "Because a physical quorum of Commissioners was not present at the announced site of the meeting, the Commission determined that a necessity existed for a quorum of members to participate by means of teleconferencing,

pursuant to Tennessee Code Annotated Section 8-44-108 (b)(2). The determination was made due to the Commission receiving a Request for Review of the Administrative Law Judge's Initial Order in the case of Marlene Bawcum and James Corbin v. Benton County Sheriff's Department.

Announcements

Executive Director Amber Gooding announced that Dianna Ruch has joined THRC as a paralegal in the Intake and Mediation Unit. Commissioner Pierce made a motion to accept the report, it was seconded by Commissioner Smith.

Nominating Committee Report

Commissioner Hakeem, chair of the Nominating committee presented the report of the Nominating Committee. The committee recommended that Chairman Wiggins serve another term as Chairman of the Board and that Executive Director Gooding be reappointed as Executive Director. Commissioner Hakeem made a motion to accept the recommendation of the committee and Commissioner Jones seconded the motion. A vote was taken and passed. Chairman Wiggins then read the Committee assignments.

Commissioner Wiggins – Chairman
West Division Vice Chair – Commissioner Jones
East Division Vice Chair – Commissioner Hammonds
Middle Division Vice Chair – Commissioner Garrett

Law & Legislative Committee – Chair – Commissioner Garrett (Middle), Commissioner Hodge (East), Commissioner Hakeem (East), Commissioner Horne (West), Commissioner Pride (West).

Education & Outreach Committee – Chair – Commissioner Smith (East), Commissioner Kyles (West), Commissioner Hammonds (East), Commissioner Walker (Middle), Commissioner Pierce (Middle).

Budget & Audit Committee – Chair Commissioner Hakeem (East), Commissioner Todd (West), Commissioner Rogers (West), Middle – Vacant, Commissioner Jones (West).

Chairman Wiggins congratulated and thanked the commissioners for accepting the task at hand. Commissioner Smith made a motion to accept the Committee Assignments report and Commissioner Hakeem seconded the motion.

Old Business

Commissioner Smith reported that the Benton County Review Panel met telephonically on September 26, 2005 to review the cases of Bawcum and Corbin verses the Benton County Sheriff's Department and recommended that the Administrative Law Judge's decision not be disturbed in this case. Commissioner's Smith, Todd, Rogers, Hakeem and Jones were present. Commissioner Hakeem made a motion to accept the recommendation of the committee, it was seconded by Commissioner Jones.

Budget & Audit Committee

Commissioner Hakeem reported that the Budget & Audit committee met telephonically on September 7, 2005 with Commissioner's Hakeem, Rogers, Jones & Todd in attendance to

review the 04/05 Budget and the 2004 Audit. Commissioner Hakeem presented an overview of the meeting. Executive Director Gooding noted that all Commissions governed by boards were asked to incorporate stronger language into Conflict of Interest statements and code of ethics to ensure that fraud and abuse do not occur and that the committee will continue to work on the appropriate language to be presented at the November Board Meeting. Commissioner Pierce made a motion to accept the report and Commissioner Hakeem seconded the motion. A vote was taken and passed.

Executive Director provided an introduction for the case reports concerning the HUD and EEOC case processing for the year. She congratulated the staff for meeting goals for the year and noted that the staff has been involved in additional training, which has enhanced the progress in such a positive manner.

Employment Case Report

Deputy Director Antonio Adams gave an outline of the Annual report for employment cases processed for the fiscal year October 04 to September 05. 610 charges have been received to date and 543 of those have been closed which shows an increase of 20 charges over the last year. The increase is due to the outreach and education efforts of the agency. Cases on the average are being processed in 139 days, which is under the EEOC mandate of 180 days. Deputy Adams commended his staff of investigators for the quality and excellent work they have produced.

Mediation has received approximately \$80,000 in compensation to date.

Housing Case Report

Housing Director, Robert Bright reported on the housing cases. The fiscal year timeframe for housing cases is June 04 to July 05. The 143 cases received are inventory numbers for this time period. Most cases are race based in addition to Familial status, handicapped and others. 17 cases were conciliated for approximately \$28,397. 12 cases have been caused which shows a 100% increase from the previous year. An administrative hearing is coming up in reference to a Jefferson County case of a landlord changing rental rules in writing which violated a previous agreement.

Director Bright noted that education and outreach efforts by the agency have increased cases being filed with THRC. Current inventory stands at 41 cases. Director Gooding noted that THRC and other agencies are pooling their resources to assist with financial issues encountered by the Hispanic community as they relate to home buying. It was noted that the Knoxville Housing office now employs a Hispanic investigator, Ximena Armstrong, to assist with these cases.

Commissioner Smith made a motion to accept the Case reports and Commissioner Garrett seconded the motion. A vote was taken and passed.

Outreach & Education

Communications officer, Cynthia Howard reported that staff investigators have been utilized in speaking at many outreach venues over the past several months and the efforts will be spreading to West Tennessee soon. Director Gooding is committed to outreach and education and many activities are planned for the future.

Updates were given on the website, television commercials, radio public service announcements and outreach efforts.

An invitation was extended to all commissioners to attend the Employment Law Conference that will be held at the Willis Conference center on October 4, 2005. Registration forms will be made available at the close of the Board meeting. Note was also made that an Employment Conference is in the planning stages for the West Tennessee area in the Spring of 2006.

Commissioner Garrett made a motion to accept the communication report and Commissioner Hakeem seconded the motion. A vote was taken and passed.

Cause Case Report

Deputy Director Adams gave the cause case report in the absence of Shay Rose, Assistant Attorney. The 9 cases reported covered age, religious and regarded as disabled discrimination employment cases and familial status and breach of conciliation housing cases.

Commissioner Jones made a motion to accept the report and Commissioner Smith seconded the motion. A vote was taken and passed.

Director's Report

Director Gooding gave a follow-up report on the Workplace Harassment training of state employees that was discussed at the April Board meeting. THRC staff has met with Department of Personnel staff to address areas of concern from the Board of Commissioners. Commissioner Smith made a motion to review the policy and make a recommendation to the Department of Personnel. Commissioner Pierce seconded the motion. A vote was taken and passed.

Commissioner Hammonds made an announcement that due to employer conflicts require that she must resign from the board effective September 30, 2005. Chairman Wiggins and Executive Director Gooding thanked Commissioner Hammonds for her service to the board and wished her well in future endeavors.

It was announced that the next Board meeting will be November 18, 2005.

With no further business to address, Chairman Wiggins adjourned the meeting at 10:55 am.